

**RESULTS OF INVESTIGATION:** Investigation revealed that the article was part of a shipment which was submerged in water in North Carolina when the truck transporting the coffee was involved in an accident and ran into a lake.

**LIBELED:** 5-15-58, M. Dist. N.C.

**CHARGE:** 402(a)(3)—while in interstate commerce, the article contained dirty lake water and was otherwise unfit for food by reason of having been accidentally submerged in lake water; and 402(a)(4)—held under insanitary conditions in the lake.

**DISPOSITION:** 6-20-58. Default—destruction.

**24853. Coffee.** (F.D.C. No. 41447. S. Nos. 29-904/5 P.)

**QUANTITY:** 51 bags, each containing a number of 3-oz. bags, a total of 398 lbs., and 18 bags, each containing a number of ½-lb. and 1-lb. bags, a total of 304 lbs., at Brooklyn, N.Y., in possession of Mitchell Coffee Co.

**SHIPPED:** A quantity of bulk coffee was shipped on 1-31-58, from Secaucus, N.J.

**LABEL IN PART:** (3-oz. bag) "Mitchell's Special Restaurant Coffee"; (½ and 1-lb. bags) "Net Weight Mitchell's Special Restaurant Coffee."

**RESULTS OF INVESTIGATION:** The article contained in the bags described above had been repacked from the above-mentioned shipment of bulk coffee and was labeled by the consignee.

Examination showed that the article contained added cereal and chicory and that the article in the 1-lb. bags was short weight.

**LIBELED:** 3-3-58, E. Dist. N.Y.

**CHARGE:** 402(b)(2)—cereal and chicory had been substituted in part for coffee while held for sale; 402(b)(4)—cereal and chicory had been added to the article and mixed and packed with it so as to reduce its quality and strength; 403(a)—the label statement "Coffee" was false and misleading; and 403(e)(2)—the label of the article failed to bear an accurate statement of the quantity of contents since the 3-oz. size bags failed to bear any statement of the quantity of contents and since the statement "1 Lb. Net Weight" on the label of the 1-lb. bags was not accurate.

**DISPOSITION:** 3-26-58. Consent—claimed by Mitchell Coffee Co. and repacked and relabeled.

**24854. Green coffee.** (F.D.C. No. 41585. S. No. 18-926 P.)

**QUANTITY:** 64 130-lb. bags at Denver, Colo., in possession of Spray Coffee & Spice Co.

**SHIPPED:** 7-5-57, from New Orleans, La.

**LIBELED:** 2-18-58, Dist. Colo.

**CHARGE:** 402(a)(3)—contained rodent excreta pellets; and 402(a)(4)—held under insanitary conditions.

**DISPOSITION:** 4-1-58. Consent—claimed by Spray Coffee & Spice Co. Segregated; 70 lbs. destroyed.

**24855. Coffee.** (F.D.C. No. 41665. S. Nos. 21-279/80 P.)

**QUANTITY:** 23 cases, 24 cans each, of regular coffee, and 38 cases, 24 cans each, of drip coffee, at St. Joseph, Mo.

**SHIPPED:** 2-7-58, from Kansas City, Kans., by E. C. Conroy Coffee Co.

**LABEL IN PART:** (Can) "Conroy's Supreme Blend Coffee—1 Lb. Net Weight—Regular Grind HG [or "Drip Grind AH"]."

**RESULTS OF INVESTIGATION:** Examination showed that the articles were short weight. The average shortage was found to be 5.1 percent for the regular coffee and 0.75 percent for the drip coffee.

**LIBELED:** 4-15-58, W. Dist. Mo.

**CHARGE:** 403(e)(2)—when shipped, the labels of the articles failed to bear an accurate statement of the quantity of contents.

**DISPOSITION:** 5-22-58. Consent—claimed by E. C. Conroy Coffee Co. and repacked and relabeled.

**24856. Tea.** (F.D.C. No. 41665. S. No. 21-300 P.)

**QUANTITY:** 6 cases, 24 ctns. each, at St. Joseph, Mo.

**SHIPPED:** 8-7-57, from Kansas City, Kans., by E. C. Conroy Coffee Co.

**LABEL IN PART:** (Ctn.) "1/4 Lb. Net Conroy's Iced Tea Blend Orange Pekoe."

**RESULTS OF INVESTIGATION:** Examination showed that the article was short weight. The average shortage was found to be 5.8 percent.

**LIBELED:** 4-15-58, W. Dist. Mo.

**CHARGE:** 403(e)(2)—the label of the article, when shipped, failed to bear an accurate statement of the quantity of contents.

**DISPOSITION:** 5-23-58. Default—delivered to a charitable institution for its use and not for sale.

**24857. Root beer concentrate.** (F.D.C. No. 41831. S. No. 42-893 P.)

**QUANTITY:** 30 cases, 4 1-gal. cans each, at Denver, Colo.

**SHIPPED:** 5-23-58, from Bonner Springs, Kans., by Richardson Corp.

**LABEL IN PART:** (Can) "Richardson Root Beer \* \* \* Ready to Use Syrup \* \* \* Net Contents One Gallon Richardson Corporation, Rochester, N.Y."

**LIBELED:** 6-30-58, Dist. Colo.

**CHARGE:** 402(a)(3)—contained mold; and 402(a)(4)—prepared under insanitary conditions.

**DISPOSITION:** 8-12-58. Default—destruction.

## CEREALS AND CEREAL PRODUCTS

### BAKERY PRODUCTS

**24858. Various cakes.** (F.D.C. No. 40013. S. Nos. 25-600 M, 54-061 M.)

**INFORMATION FILED:** 12-3-57, W. Dist. Wash., against Golden Rule Bakery, a corporation, Seattle, Wash., and Maud Pemberton, president, and Ned N. Leedle, superintendent.

**SHIPPED:** 10-19-56, from Washington to Idaho.

**LABEL IN PART:** (Pkg.) "Polly Ann Pound Cake [or "Sponge Layers," "Golden Loaf Cake," or "Vanilla Frosted Gold Ranch Bar"] \* \* \* Distributed by P-A Cake Company \* \* \* South Seattle."

**CHARGE:** 402(a)(3)—contained insects and insect fragments; and 402(a)(4)—prepared and held under insanitary conditions.

**PLEA:** Guilty.

**DISPOSITION:** 9-9-58. Corporation—\$600 fine; individuals—\$200 fine each.